

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:	BI ET AL.)	
)	Examiner P. Desir
Appl. No.	10/749,021)	
)	Art Unit 2681
Confirm. No.	8438)	
)	Atty. Docket No. CS23442RL
Filed:	30 December 2003)	
Title:	"Broadcast/Multicast Services In Wireless Communications Networks"		

PRE-APPEAL BRIEF REVIEW REQUEST

Assistant Commissioner for Patents
Alexandria, Virginia 22313

Sir:

Review Request & Claims Pending

The final Office action mailed on 18 August 2006 has been considered carefully. Review of the claimed invention in view of the discussion below is respectfully requested. A Notice of Appeal has been filed concurrently with this Request. Claims 10 and 13-25 are pending.

Allowability of Claims Over Trossen & Hsu

Rejection Summary

Claims 8, 10-11, 13-14, 17-19 and 24-25 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Publication No. 2003/0157899 (Trossen) in view of U.S. Publication No. 20020141391 (Hsu).

Allowability of Claim 13

Regarding independent Claim 13, Trossen and Hsu fail to disclose or suggest a

... method in wireless communications network, the method comprising:
transmitting content and reliability information on a first channel;
transmitting additional reliability information for the content on a second channel,
the reliability and additional reliability information for decoding the content.

The Examiner's reliance on Trossen and Hsu is misplaced. Trossen discloses transmitting content on first and second channels. The Examiner concedes that Trossen does not disclose transmitting any reliability information. At para. [0061], Hsu discusses providing access to a high speed broadcast service (HSBS) to subscribers by encrypting the HSBS content so that only subscribers may decrypt it using over-the-air encryption key exchange procedures. Neither Trossen nor Hsu disclose or suggest transmitting content and reliability information on a first channel and transmitting additional reliability information for the content on a second channel. It is not even clear that Hsu sends reliability information on the same channel as the content. Hsu merely discusses exchanging an encryption key

for decoding broadcast content. The encryption key information of Hsu is not reliability information. Claim 13 is thus patentably distinguished over the art.

Allowability of Claim 14

Regarding Claim 14, Trossen and Hsu fail to disclose or suggest in combination with the limitations of Claim 13,

... transmitting the content, the reliability information and the additional reliability information with sufficient temporally proximity to enable decoding of the content, by a recipient, using the reliability and additional reliability information.

The Examiner admits that Trossen fails to disclose the transmission of reliability information. Contrary to the Examiner's suggestion, Hsu does not disclose transmitting reliability information on first and second channels, or transmitting the content and reliability information and additional reliability information with sufficient temporal proximity to enable decoding content. Claim 14 is thus patentably distinguished over the art.

Allowability of Claim 19

Regarding Claim 19, Trossen and Hsu fail to disclose or suggest in combination with the limitations of Claim 13,

... transmitting the content and reliability information on a first channel substantially simultaneously with transmitting the additional reliability information for the content on the second channel.

Contrary to the Examiner's suggestion, Hsu fails to disclose or suggest substantially simultaneously transmitting reliability information on first and second channels. Claim 198 is thus patentably distinguished over the art.

Allowability of Claim 20

Regarding independent Claim 20, Trossen and Hsu fail to disclose or suggest a

... method in wireless communications device, the method comprising:
receiving a message identifying a channel on which content will be transmitted;
receiving first layer content information on a first channel;
receiving second layer content information on a second channel, at least one of the first and second channels identified in the message,
the first and second layer content information is encrypted,
decrypting the first layer content information with a first key,
decrypting the second layer content information with a second key that is different than the first key.

Contrary to the Examiner's assertion, Hsu does not disclose decrypting first layer content information with a first key and decrypting second layer content information with a second key that is different than the first key. Hsu merely discusses exchanging an encryption key for decoding broadcast content and periodically updating the encryption key. Hsu does not disclose first and second content layers and thus there is no suggestion in Hsu for decrypting first and second content layers with different keys. Claim 20 is thus patentably distinguished over the art.

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Prayer For Relief

In view of the discussion above, the Claims of the present application are patentably distinguished over the art and are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,

/ R K Bowler /

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